UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

SCOTT FULLER,

Plaintiff,

STIPULATION OF DISCONTINUANCE

-against-

Civil Action #: 05-CV-219

CSX TRANSPORTATION, INC. and GENERAL CHEMICAL CORPORATION,

NAM/DEP

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of this action, any and all claims herein are discontinued, with prejudice and on the merits, without costs to any party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

DATED: June 25, 2009

THE MAURER LAW FIRM, PLLC

DATED: July 15 , 2009

McNAMEE, LOCHNER, TITUS & WILLIAMS, P.C.

By:

Ira M. Maurer, Esq.

Attorneys for Plaintiff

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By:

Scott A. Barbour, Esq. Attorneys for Defendant

CSX TRANSPORTATION, INC.

677 Broadway P.O. Box 459

Albany, New York 12201-0459

DATED: Jun 23,, 2009

HANCOCK & ESTABROOK, LLP

By:

Mark J. Schulte, Esq. Attorneys for Defendant GENERAL CHEMICAL 1500 AXA Tower I Syracuse, New York 13202

IT IS SO ORDERED:

David E. Peebles

U.S. Magistrate Judge

Dated: _July 15, 2009

Syracuse, NY